

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below:

Date: September 22, 2004 Name: Tadashi Horie Reg. No. 40,437 Signature:

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Motoharu MIYAKE
Hiroshi INAMURA
Osamu TAKAHASHI

Appln. No.: 10/807,505

Filed: March 23, 2004

For: COMMUNICATION DEVICE,
TRANSMISSION CONTROL METHOD,
AND PROGRAM PRODUCT

Attorney Docket No: 9683/173

Examiner: To Be Assigned

Art Unit: 2661

Mail Stop: Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Response to Notice to File Missing Parts (in dup.), Returned Copy of Notice to File Missing Parts, Combined Declaration and Power of Attorney, Check for \$900
 Return Receipt Postcard

Fee calculation:

No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$____ for a ____-month extension of time under 37 C.F.R. § 1.136(a).
 A late filing fee or oath or declaration surcharge in an amount of \$130 under 37 C.F.R. § 1.16(e).
 A late filing fee has been calculated as shown below:

Claims as Filed	Col. 1	Col. 2
For	No. Filed	No. Extra
Basic Fee		
Total Claims	8-20	0
Indep. Claims	3-3	0
Multiple Dependent Claims Present		

*If the difference in col. 1 is less than zero, enter "0" in col. 2.

Small Entity	
Rate	Fee
\$ 385	
x\$9=	\$
x\$43=	\$
+\$145=	\$
Total	\$

Other Than Small Entity	
Rate	Fee
\$ 770	
x\$18=	\$
x\$86=	\$
+\$290=	\$
Total	\$770

Fee payment:

A check in the amount of \$900 to cover the above-identified fee(s) is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$_____. (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Tadashi Horie (Reg. No. 40,437)

September 22, 2004

Date



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on September 22, 2004

Date of Deposit

Tadashi Horie Reg. No. 40,437

Name of applicant, assignee or
Registered Representative

Tadashi Horie

Signature

September 22, 2004

Date of Signature

Our Case No. 9683/173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Motoharu MIYAKE
Hiroshi INAMURA
Osamu TAKAHASHI

Serial No.: 10/807,505

Attention: Manager,
Application Branch

Filed: March 23, 2004

For: COMMUNICATION DEVICE,
TRANSMISSION CONTROL METHOD,
AND PROGRAM PRODUCT

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the Notice to File Missing Parts of Nonprovisional Application dated September 1, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.

Applicant:

claims small entity status. See 37 CFR1.27.

is other than small entity

A Check in the amount of \$900 for:

Filing Fee of \$770.

Surcharge of \$130.

Additional Claim Fees of \$_____.

Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).

Other: _____.

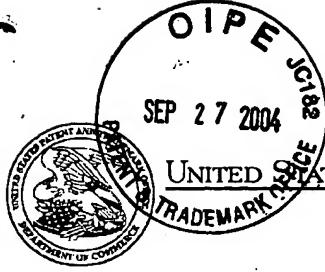
The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated September 22, 2004


Tadashi Horie
Registration No. 40,437
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/807,505	03/23/2004	Motoharu Miyake	9683/173

00757
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

CONFIRMATION NO. 3404

FORMALITIES LETTER



OC000000013694234

Date Mailed: 09/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

09/28/2004 MBIZUNES 00000059 10807505

01 FC:1001

770.00 OP

130.00 OP

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE